

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

PATRICIA M. FRANCE,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 3:21-CV-05466-MAT

ORDER

Based on the stipulation of the parties, it is ORDERED that the Commissioner's decision in regard to Plaintiff's application for benefits under Title II of the Social Security Act be REVERSED and REMANDED to the Commissioner of Social Security for further administrative proceedings. Upon remand, the Appeals Council will instruct the Administrative Law Judge to further evaluate the medical opinions in the record; further evaluate Plaintiff's residual functional capacity; complete the administrative record; and issue a new decision. Further, the Appeals Council will direct that, upon remand, this case be assigned to another Administrative Law Judge.

This Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the case to the Commissioner for further administrative

proceedings. *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Plaintiff may be entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412, upon proper request to this Court.

DATED this 1st day of March, 2022.



MARY ALICE THEILER
United States Magistrate Judge

Presented by:

s/ Shata L. Stucky
SHATA L. STUCKY
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
701 Fifth Avenue, Suite 2900 M/S 221A
Seattle, WA 98104-7050
Telephone: (206) 615-2909
Fax: (206) 615-2531
shata.stucky@ssa.gov